

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION


MICHAEL GARCIA, ID # 12054090,	§	
Plaintiff,	§	
vs.	§	No. 3:13-CV-1261-B
	§	
DALLAS POLICE DEPARTMENT, et al.,	§	
Defendants.	§	

ORDER ACCEPTING FINDINGS, CONCLUSIONS AND RECOMMENDATION  
AND THE SUPPLEMENTAL FINDINGS, CONCLUSIONS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation and the Supplemental Findings, Conclusions, and Recommendation of the United States Magistrate Judge, and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions and Supplemental Findings and Conclusions are correct, and they are accepted as the Findings and Conclusions of the Court.

For the reasons stated in the Findings, Conclusions, and Recommendation and the Supplemental Findings, Conclusions, and Recommendation of the United States Magistrate Judge, Plaintiff's claims of false arrest, illegal search, and excessive forces claims will be **DISMISSED WITH PREJUDICE** until he satisfies the conditions in *Heck v. Humphrey*, 512 U.S. 477 (1994). The remaining claims will be **DISMISSED WITH PREJUDICE** as frivolous pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b). This dismissal will count as a "strike" or "prior occasion" within the meaning 28 U.S.C. § 1915(g).

SIGNED this 27<sup>th</sup> day of September, 2013.



JANE J. BOYLE  
UNITED STATES DISTRICT JUDGE